IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 11TH DECEMBER 2006 / 20TH AGRAHAYANA 1928
Bail Appl..No. 7241 of 2006()

CRIME NO.492/2006 OF PANDALAM POLICE STATION

PETITIONER/ACCUSED NOS.1 TO 4, 6 & 7:
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1. FYSAL, S/O.SAINUDHEEN,
ADHILA MANZIL, KADAKKAD DESOM OF PANDALAM TALUK,
PATHANAMTHITTA DISTRICT.

2. RIYAD, S/O.KUTHUBATH LABBA,
THARAKKAN VILAYIL, KADAKKAD DESOM OF
PANDALAM TALUK, PATHANAMTHITTA DISTRICT.

3. KAMAL, S/O.MUHAMMED BASHEER,
MADATHIL HOUSE, KADAKKAD DESOM OF
PANDALAM TALUK, PATHANAMTHITTA DISTRICT.

4. SUDHEER, S/O.BASHEER RAWTHAR,
ASSARIAYYATH HOUSE, KADAKKAD DESOM OF
PANDALAM TALUK, PATHANAMTHITTA DISTRICT.

5. MUJEEB, S/O.HASSANKUTTY RAWTHER,
THAYYIL THEKKETH, KADAKKAD DESOM OF PANDALAM TALUK
PATHANAMTHITTA DISTRICT.

6. SHAJU, S/O.RASHEED,
UDAYAM ADATHIL HOUSE, KADAKKAD DESOM OF
PANDALAM TALUK, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.SUNNY MATHEW

RESPONDENT: COMPLAINANT:

STATE OF KERALA THROUGH THE
SUB INSEPCTOR OF POLICE,
PANDALAM POLICE STATION, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO.7241 of 2006

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Dated this the 11th day of December, 2006

O R D E R

In this Petition filed under Sec. 438 Cr.P.C. the petitioners who are accused Nos. 1 to 4, 6 and 7 in Crime No. 492 of 2006 of Pandalam Police Station for offences punishable under Secs. 143, 147, 148, 452, 341, 323, 324 and 427 read with Sec. 149 I.P.C., seek anticipatory bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Having regard to the nature of the allegations levelled against the petitioners and the other circumstances of the case, I am inclined to grant anticipatory bail to the petitioners. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioners on bail for a period of one month in the event of their arrest in connection with the above case on each of them executing a bond for Rs. 10,000/- with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. Petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

3. Petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. Petitioners shall not commit any offence while on bail.

5. Petitioners shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

6. A1 to A3 shall surrender before the Investigating Officer any day between 13.12.2006 and 16.12.2006 for the purpose of custodial interrogation and recovery, if any.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,

JUDGE.

ess 11/12